

## REMARKS

Claims remaining in the present patent application are Claims 16, 18-20, 22, 24-28, 30-36 and 38-40. Claims 24 and 38 are amended herein and claim 37 has been cancelled. Applicant respectfully asserts that no new material is introduced as a result of the amendments herein. Applicant respectfully requests consideration of the above captioned patent application in light of the remarks presented herein.

### *Rejections Under 35 U.S.C. §103*

At paragraph 4 of the Office Action, the Examiner rejected claims 24, 26-28, 31, 36, and 38-40 as being unpatentable over U.S. Patent No. 6,301,586 to Yang et al. (hereinafter "Yang") in view of U.S. Patent No. 6,784,925 to Tomat et al. (hereinafter "Tomat"). In Applicant's amendment to claims 24 and 38 above, Applicant has sought to clarify the claimed invention to recite a photo album page method that is based on a hierarchical navigation of a library of layout configurations. Specifically, this hierarchical navigation is based on a user specification of a total number of photos for the photo album page and a user specification of a first subset of the total number of photos having a landscape orientation and a second subset of the total number of photos having a portrait orientation.

For example, where a user specifies a total number of five photos for the photo album page, the user can also specify that of the five photos one photo has a landscape orientation and four photos have a portrait orientation. The result of these user specifications would be the display of thumbnails of all of the layout configurations that have five total photos, wherein one photo has a landscape orientation and four photos have a portrait orientation. In this example, the display of these multiple thumbnails would then enable the user to select a particular layout configuration for application to the photo album page that exactly matches not just the total number of user-selected photos, but also exactly matches the specific numbers of that selection of photos that are either landscape or portrait oriented.

Applicant submits that neither Yang nor Tomat teach such a claimed feature. Tomat's FIG. 35, for example, shows the specification of only a number of photos per page using

interface element 308. Yang's FIG. 14, for example, shows the specification of a number of pictures per page using a radial button, and the further specification of a two-picture layout (i.e., horizontal, vertical, or diagonal), a layout that specifies only the arrangement of the photos on the page but not the aspect ratio attributes (e.g., landscape or portrait) of the user-selected photos themselves as they are to be placed on the page. Significantly, the horizontal, vertical and diagonal picture layout options represent a one-to-one correspondence with the layout configurations described in Table 3 of Yang. Of further note is that the layout configurations of Table 3 are independent of the orientation (e.g., landscape or portrait) of the photos. Rather, the layout configurations are only concerned with the relative positioning of the photos.

In general, Yang's horizontal, vertical and diagonal picture layout options have nothing to do with the orientation of the pictures themselves but only with the relative positions of the photos on the page. In other words, Yang's picture layout options do not represent a user interface mechanism that produces multiple thumbnails representative of a plurality of layout configurations representative of a subset of a large library of layout configurations with selectable choices based on the number of photos designated by the user to be inserted on a photo album page and their respective numbers in landscape and portrait orientations. Moreover, Yang's picture layout options do not allow a user a selectable choice of the number of landscape-oriented photos and the number of portrait-oriented photos that are to appear in a single layout.

For at least these reasons, Applicant submits that the combination of Yang and Tomat do not show all of the claimed features of Applicant's claims 24 and 38. The rejection of those claims along with their dependent claims 26-28, 31, 36, 39 and 40 is therefore traversed.

At paragraph 5 of the Office Action, the Examiner rejected claims 25, 30, 32-35, and 37 as being unpatentable over Yang in view of Tomat and further in view of U.S. Patent No. 6,964,025 to Angiulo et al. (hereinafter "Angiulo").

Based on the amendment above, the rejection of claim 37 is now rendered moot. Claims 25, 30 and 32-35 are each dependent on independent claim 24. Accordingly, even assuming that

Angiulo teaches all that the Examiner alleges, the rejection of claims 25, 30 and 32-35 are traversed for at least the reasons noted above with respect to claim 24.

***Conclusion***

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections, and that they be withdrawn. The Examiner is invited to telephone the undersigned representative if an interview might be useful for any reason.

Respectfully submitted,

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